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United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

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October 22, 2014

Regional Administrator Dr. Roy Crabtree
National Marine Fisheries Service
Southeast Regional Office
9721 Executive Center Drive North
St. Petersburg, Florida 33702

Dear Dr. Crabtree,

As you know, in recent years the outlook surrounding the issues plaguing the red snapper fishery in the Gulf of Mexico have become increasingly dismal. As the federal guide in the region, you have singularly exacerbated the many challenges. The deterioration of the situation has culminated in the unprecedented pace through which Amendment 40 has progressed through the Gulf of Mexico Regional Fishery Management Council, which will be up for final action this week.

On October 21, 2014, during a Reef Fish Management hearing, you voted in favor of sending this Amendment to the Department of Commerce for implementation. As the representative for the National Marine Fisheries Service (NMFS) on this council, I have particular concern with your decision to vote against clear desires of the Gulf State Governors and their state directors on the council, against the Congressional Sportsmen's Caucus, and against the vast majority of anglers who presented public and written comments to you and your fellow council members.

There are many concerns regarding the questionable authority of the Gulf Council to create an entirely new sector, not limited to the lack of a completed review of the economic impacts of Amendment 40. Magnuson-Stevens (Magnuson) clearly sets forth that there are two distinct sectors, commercial and recreational, with the charter industry being included within the recreational sector. Further, Magnuson sets requirements that the Gulf Council include a fishery impact statement for its Amendments, specifically stating the impact statement shall:

Assess, specify, and analyze the likely effects, if any, including the cumulative conservation, economic, and social impacts, of the conservation and management measures on, and possible mitigation measures for participants in the fisheries and fishing communities affected by the plan or amendment; participants in the fisheries conducted in adjacent areas under the authority of another Council, after consultation with such Council and representatives of those participants; and the safety of human life at sea, including whether and to what extent such measures may affect the safety of participants in the fishery. 16 U.S.C. 5 1853(a)(9).

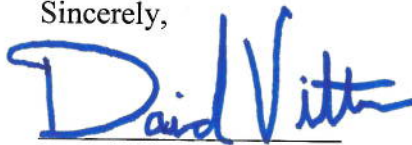
Currently, a full fishery impact statement that takes into consideration the effects of the proposal on all entities involved has yet to be submitted. Failure to complete this analysis represents a deterioration of responsibility that is only compounded by the fact you were entrusted with a leadership role in ensuring Magnuson is complied with. This further convolutes any rationale as to why the NMFS representative on the council has voted in support of this Amendment, and creates a leadership void unmitigated by your intentional deception or management collapse.

In light of this, I ask that you provide answers to the following questions by November 5, 2014:

1. As the Regional Administrator, you are required to represent the federal government and the region as a whole. Clearly, the region has spoken against the provision, so please list the exact entities or people that you are representing in your official capacity.
2. Did you play any role in the Environmental Defense Fund (EDF) being selected to receive a Fisheries Innovation Fund grant? If so, what role did you play in selecting or recommending EDF for this grant?

Again, I urge you and the Gulf Council to immediately end further consideration of this amendment.

Sincerely,



David Vitter

Ranking Member

Environment and Public Works Committee